

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONNA LEACH, et al.,

Plaintiffs,

v.

TESLA, INC., et al.,

Defendants.

Case No. [23-cv-03378-SI](#)

**ORDER RE: DISCOVERY DISPUTES**

Re: Dkt. Nos. 58, 59, 60

On November 25, 2024, the Court delayed the cutoff for fact discovery in this litigation from December 6, 2024 to February 14, 2025, but that date is fast approaching. On December 18, 2024, the parties presented a discovery dispute regarding the sufficiency of defendant Tesla's responses to plaintiff's requests for the production of documents and to plaintiff's special interrogatories. Dkt. No. 55. On December 23, 2025, the Court ordered the parties to provide further briefing. Dkt. No. 56. Plaintiff filed her brief on January 3, 2025 and defendant replied four days later. Dkt. Nos. 59 and 60. By the Court's count, the parties disagree about the scope of relevant and proportional discovery for a dozen categories of documents within defendant's control. Separately, the parties filed a joint brief outlining another dispute concerning plaintiff's request to depose Lars Moravy, whom defendant considers an inappropriate apex witness.<sup>1</sup> Dkt. No. 60.

The Court held a hearing with the parties on January 10, 2025. At the hearing, the Court learned that defendant produced an additional 10,000 pages of discovery the night before, which plaintiff understandably had not reviewed. Further, the Court learned defendant recently scheduled two depositions of its corporate representatives, one for late January and one for early February.

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<sup>1</sup> Mr. Moravy is Vice President of Vehicle Engineering at Tesla and reports directly to the CEO.


1 Plaintiff expressed justifiable concern about taking these depositions without first having received  
2 adequate written discovery materials.

3 The Court finds that defendant's discovery responses to date have been unreasonably  
4 obstinate. While defendant may hold legitimate concerns about the breadth of some of plaintiff's  
5 requests, the Court encourages defendant to work with plaintiff in good faith to provide relevant and  
6 proportional responses. For specific resolution, however, the Court REFERS the disputes at Docket  
7 Numbers 58, 59, and 60 to Magistrate Judge Kim given the diversity of issues involved.

8 The Court foresees a need to postpone the close of fact discovery, but will wait to issue a  
9 new scheduling order until Magistrate Judge Kim has reviewed the materials and provided a  
10 recommendation on the length of time necessary to resolve these disputes and finish fact discovery.  
11 The Court anticipates that the remaining dates on the pretrial and trial schedules likewise will be  
12 adjusted. Defendant previously communicated scheduling conflicts for the remainder of 2025  
13 should the need arise to postpone trial, but the Court expects defendant will demonstrate appropriate  
14 flexibility under the circumstances.

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16 **IT IS SO ORDERED.**

17 Dated: January 13, 2025

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19 SUSAN ILLSTON  
20 United States District Judge  
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